

### **REMARKS**

Claims 2-19 and 21-42 remain unchanged and are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 2, 12/2, 17/2, 18, 21, 23, 28/21, 31/21, 35/21, 36/21, and 37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Admitted Prior Art in view of Kasami (U.S. Pub. No. 2002/0181492 A1). This rejection is respectfully traversed.

Claims 4, 6/4, 7/4, 25/21, and 26/21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Admitted Prior Art in view of Mochizuki (U.S. Pub. No. 2006/0154628 A1) and further in view of Kasami (U.S. Pub. No. 2002/0181492 A1). This rejection is respectfully traversed.

Claim 2 recites "setting, by said transmit-side STA, time ( $T_{\max} + T_s$ ) as transmission inhibition time to a paired wireless channel other than a wireless channel which requires longest transmission time  $T_{\max}$  among wireless channels used for simultaneous transmission[.]"

The Examiner asserts that Applicant has admitted the system discussed in the background of Applicant's specification as prior art. Applicant respectfully disagrees.

Assuming arguendo the system discussed in the background of Applicant's specification can be considered as prior art, Applicant submits that one of ordinary skill in the art cannot modify the system based on the teaching of Kasami to arrive at claim 2 in including the above features as asserted by the Examiner.

Kasami is premised on a SDMA system. Kasami appears to show an access point that has receiver modules (11-1 ... 11-3) and transmitter modules (12-1 ... 12-3) connected to an adaptive array antenna. The receiver modules receive data packets from the adaptive array antenna. The transmitter modules (12-1 ... 12-3) transmit data packets through the adaptive array antenna. The access point also has a reception end detecting section (18) that receives the data packets from the receiver modules.

Kasami further appears to show a technique for the transmitter modules and the receiver modules to share the array antenna. Specifically, the header of each data packet specifies a predetermined time period required for receiving the data packet. A detection section (21) of the reception end detecting section (18) compares the required receiving time of all the data packets and determines a maximum receiving time period. Further, the transmission function of the transmitter modules is disabled for the maximum receiving time period. In other words, Kasami shows that the access point (1) disables all the transmitter modules as long as a receiver module is receiving data packets. Kasami, paras. [0085] and [0104], Fig. 10.

Therefore, even if one of ordinary skill in the art can be motivated to modify the system discussed in the background of Applicant's specification based on the features shown in Kasami to set the transmission inhibition time of the channels 1 and 2 of the system, one at best would set the inhibition time of both channels as the maximum receiving time period. In other words, Kasami cannot teach one of ordinary skill in the art to set the transmission inhibition time as the maximum time plus a predetermined time for a channel other than a wireless channel which requires longest transmission time Tmax among wireless channels used for simultaneous transmission.

Claims 4, 18, 21, 23, 37 each recite features similar to the above distinguishing feature of claim 2.

In view of the foregoing, Applicant respectfully submits that claims 2, 12/2, 17/2, 18, 21, 23, 28/21, 31/21, 35/21, 36/21, 37, as well as claims 6/4, 7/4, 25/21, and 26/21, define over the art cited by the Examiner. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

#### **ALLOWABLE SUBJECT MATTER**

The Examiner states that claims 3, 5, 8/2, 9/2, 10/2, 11/2, 13/2, 14/10/2, 15/14/10/2, 16/2, 17/2, 19, 22, 24, 27/21, 28/21, 29/21, 30/21, 32/21, 33/29/21, 34/33/29/21, 38, 39/13/2, 40/39/13/2, and 41-42/32/21 would be allowable if rewritten in independent form.

The Examiner further states that claims 8/1, 9/1, 10/1, 11/1, 14-15/10, 13/1, 39-40/13, 16/1, 17/1, 27/20, 29/20, 33-34/29, 30/20, 31/20, 32/20, 41-42/32, 35/20, and 36/20 would be allowable if rewritten in independent form.

Applicant elects to defer rewriting the claims in independent form until the Examiner has considered the arguments presented herein.

#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office

Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: December 23, 2008

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